

House Bill 1091 (COMMITTEE SUBSTITUTE) (AM)

By: Representatives Hembree of the 67<sup>th</sup>, Cox of the 102<sup>nd</sup>, Hatfield of the 177<sup>th</sup>, Harbin of the 118<sup>th</sup>, Burns of the 157<sup>th</sup>, and others

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary education, so as to revise requirements relating to in-state tuition; to provide for definitions; to change certain provisions relating to residency requirements for a HOPE scholarship at a public postsecondary institution; to change certain provisions relating to residency requirements for a HOPE scholarship at a private postsecondary institution; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary education, is amended by revising Code Section 20-3-66, relating to determination of resident status of students for tuition or fees, as follows:

"20-3-66.

~~For the purposes of determining resident status for tuition or fees, no person who has attained the legal age of majority shall be deemed to have gained residence while attending any educational institution in this state as a full-time student, as such status is defined by the board of regents, in the absence of a clear demonstration that he has established domicile in this state and has otherwise complied with the rules governing the residency status of students as adopted by the board. The residence, for tuition or fee purposes, of any person receiving regular financial assistance from his parent, or whose parent's income was taken into account by any private or governmental agency furnishing financial educational assistance to such person, including scholarships, loans, or otherwise, shall be the same as that of his parent. In the event such person's parents have separate domiciles, his residence for tuition or fee purposes shall be the domicile of the parent furnishing him the greater financial assistance or the parent having the larger income if neither furnishes such assistance.~~

H. B. 1091 (SUB)

1 (a) As used in this Code section, the term:

2 (1) 'Dependent student' means an individual under the age of 24 who receives financial  
3 support from a parent or United States court appointed legal guardian, and such parent  
4 or guardian claimed such individual as a dependent on his or her most recent federal or  
5 state income tax return.

6 (2) 'Emancipated' means a minor who, under certain circumstances, may be treated by  
7 the law as an adult. A student reaching the age of 18 shall not qualify for consideration  
8 of reclassification by virtue of having become emancipated unless he or she can  
9 demonstrate financial independence and domicile independent of his or her parents.

10 (3) 'Independent student' means an individual who is not claimed as a dependent on the  
11 federal or state income tax returns of a parent or United States court appointed legal  
12 guardian and whose parent or guardian has ceased to provide support and right to that  
13 individual's care, custody, and earnings.

14 (b)(1) An independent student who has established and maintained a domicile in the  
15 State of Georgia for a period of at least 12 consecutive months immediately preceding the  
16 first day of classes for the term shall be classified as in-state for tuition purposes. No  
17 student shall gain or acquire in-state classification while attending any postsecondary  
18 educational institution in this state without clear evidence of having established domicile  
19 in Georgia for purposes other than attending a postsecondary educational institution in  
20 this state.

21 (2) If an independent student classified as in-state for tuition purposes relocates out of  
22 state temporarily but returns to the State of Georgia within 12 months of the relocation,  
23 such student shall be entitled to retain his or her in-state tuition classification.

24 (c)(1) A dependent student shall be classified as in-state for tuition purposes if such  
25 dependent student's parent has established and maintained domicile in the State of  
26 Georgia for at least 12 consecutive months immediately preceding the first day of classes  
27 for the term.

28 (2) A dependent student shall be classified as in-state for tuition purposes if such  
29 student's United States court appointed legal guardian has established and maintained  
30 domicile in the State of Georgia for at least 12 consecutive months immediately  
31 preceding the first day of classes for the term, provided that such appointment was not  
32 made to avoid payment of out-of-state tuition, and such guardian can provide clear  
33 evidence of having established and maintained domicile in the State of Georgia for a  
34 period of at least 12 consecutive months immediately preceding the first day of classes  
35 for the term.

36 (3) If the parent or United States court appointed legal guardian of a dependent student  
37 currently classified as in-state for tuition purposes establishes domicile outside of the

State of Georgia after having established and maintained domicile in the State of Georgia, such student may retain his or her in-state tuition classification so long as such student remains continuously enrolled in a public postsecondary educational institution in this state, regardless of the domicile of such student's parent or United States court appointed legal guardian.

(d) Noncitizen students shall not be classified as in-state for tuition purposes unless the student is legally in this state and there is evidence to warrant consideration of in-state classification as determined by the board of regents. Lawful permanent residents, refugees, asylees, or other eligible noncitizens as defined by federal Title IV regulations may be extended the same consideration as citizens of the United States in determining whether they qualify for in-state classification. International students who reside in the United States under nonimmigrant status conditioned at least in part upon intent not to abandon a foreign domicile shall not be eligible for in-state classification."

## SECTION 2.

Said chapter is further amended by revising Code Section 20-3-519.2, relating to eligibility requirements for a HOPE scholarship at a public postsecondary institution, as follows:

"20-3-519.2.

(a) To be eligible for a HOPE scholarship, an entering freshman student seeking an associate or baccalaureate degree at an eligible public postsecondary institution shall:

(1) Meet residency requirements by: ~~meeting~~

(A) Meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission which shall be based upon the in-state tuition policy of the board of regents and the in-state tuition guidelines set by the Department of Technical and Adult Education; and

(B)(i) If the student was classified as a legal resident of Georgia at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded; or

(ii) If the student was not classified as a legal resident at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded.

Notwithstanding the foregoing, a dependent child of military personnel stationed in Georgia shall be deemed to be a legal resident of Georgia and, subject to meeting all other eligibility requirements, shall be eligible to receive the HOPE scholarship as a freshman if the student graduated from a high school located in Georgia or from a home study program meeting the requirements of Code Section 20-2-690 that is located in Georgia;

(2) Meet achievement standards by:

(A) Having graduated from an eligible high school while meeting the curriculum requirements of his or her program of study in 1993 or thereafter and meeting the requirements set out in the applicable subsection and paragraph of Code Section 20-2-157; or

(B) In the case of a student who is otherwise qualified but:

(i) Did not graduate from high school or complete a home study program meeting the requirements of subsection (c) of Code Section 20-2-690, having received the general educational development (GED) diploma awarded by the Georgia Department of Technical and Adult Education after June 30, 1993, provided that such student shall only be eligible for a HOPE scholarship pursuant to subsection (e) of this Code section;

(ii) Completed a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 in lieu of graduating from an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public postsecondary institution at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; or

(iii) Graduated from a high school which is not an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible public postsecondary institution at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours, provided that such student shall be eligible to receive a retroactive HOPE scholarship for such student's freshman year to be paid at the end of the freshman year; and

(3) Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status.

(b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or baccalaureate degree at an eligible public postsecondary institution shall:

(1) Meet residency requirements by meeting

(A) Meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission which shall be based upon the in-state tuition policy of the board of regents and the in-state tuition guidelines set by the Department of Technical and Adult Education; and

(B)(i) If the student was classified as a legal resident of Georgia at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded; or

(ii) If the student was not classified as a legal resident at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded;

(2) Meet achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution:

(i) At the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours if such student is a full-time student; or

(ii) At the end of three consecutive quarters or semesters if such student is a part-time student and has maintained part-time student status for three consecutive quarters or semesters; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status.

(c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate or first professional degree at a public postsecondary institution shall:

(1) Meet residency requirements by: meeting

(A) Meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission which shall be based upon the in-state tuition policy of the board of regents and the in-state tuition guidelines set by the Department of Technical and Adult Education; and

(B)(i) If the student was classified as a legal resident of Georgia at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded; or  
(ii) If the student was not classified as a legal resident at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded;

(2) Meet achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution at the end of the quarter or semester in which the student has attempted 90 quarter hours or 60 semester hours; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a first professional degree student rather than an undergraduate student, being accepted into the first professional degree program of study prior to receiving a baccalaureate degree.

(d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate or a first professional degree at a public postsecondary institution shall:

(1) Meet residency requirements by meeting

(A) Meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission which shall be based upon the in-state tuition policy of the board of regents and the in-state tuition guidelines set by the Department of Technical and Adult Education; and

(B)(i) If the student was classified as a legal resident of Georgia at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded; or  
(ii) If the student was not classified as a legal resident at the time of graduation from high school or from a home study program meeting the requirements of Code Section

20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded;

(2) Meet achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution at the end of the quarter or semester in which the student has attempted 135 quarter hours or 90 semester hours; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a first professional degree student rather than an undergraduate student, being accepted into the first professional degree program of study prior to receiving a baccalaureate degree.

(e)(1)(A) A full-time student who fails to maintain a cumulative grade point average of at least 3.0 at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours may attend the next 45 quarter or 30 semester hours without a HOPE scholarship. An otherwise eligible full-time student who regains a cumulative grade point average of at least 3.0 at the end of a quarter or semester in which the full-time student has attempted 90 or 135 quarter hours or 60 or 90 semester hours may requalify for a HOPE scholarship.

(B) An otherwise eligible part-time student who regains or attains a cumulative grade point average of at least 3.0 at the end of a quarter or semester in which the part-time student has attempted 45, 90, or 135 quarter hours or 30, 60, or 90 semester hours may attain or requalify for a HOPE scholarship.

(2) In addition to other requirements, and regardless of quarter hours or semester hours of coursework attempted, a student who fails to possess a cumulative grade point average of at least 3.0 at the end of each spring quarter or semester or at the end of three consecutive quarters or semesters for a part-time student pursuant to paragraph (2) of subsection (b) of this Code section shall be ineligible for a HOPE scholarship until such time as the student regains or attains a cumulative grade point average of at least 3.0 at one of the 45, 90, or 135 quarter hour grade point average checkpoints or at one of the 30, 60, or 90 semester hour grade point average checkpoints, at which time the student will regain or attain eligibility if other terms and conditions in this Code section are also satisfied.

(f) For students eligible for a HOPE scholarship under this Code section, no minimum number of hours of enrollment is required.

(g)(1) Except as set out in paragraph (2) of this subsection, a student may receive the HOPE scholarship until the first of these events:

(A) The student has earned a baccalaureate degree; or

(B) The student has attempted at any postsecondary institution a total of 190 quarter hours or 127 semester hours.

(2) A student enrolled in an undergraduate or first professional degree program designed to be more than 190 quarter hours or 127 semester hours in length is eligible to receive the HOPE scholarship for the lesser of:

(A) A total of 225 attempted quarter hours or 150 attempted semester hours; or

(B) The number of hours required for graduation if the student has a cumulative grade point average of at least 3.0 after the term in which the student attempted 190 quarter hours or 127 semester hours.

(h)(1) Subject to the amounts appropriated by the General Assembly and provisions relating to the Lottery for Education Account in Code Section 50-27-13, a HOPE scholarship awarded under this Code section shall include tuition, approved mandatory fees, and a book allowance not to exceed \$100.00 per quarter or \$150.00 per semester, except as otherwise provided for in paragraphs (2) and (3) of this subsection.

(2) Effective beginning with the fall quarter or semester commencing after July 1, 2004, the amount of mandatory fees paid shall be equal to such amount or amounts that were paid on January 1, 2004, except as otherwise provided for in Code Section 50-27-13.

(3) Paragraph (2) of this subsection shall not apply to an eligible public postsecondary institution established by law on or after January 1, 2004. For any eligible public postsecondary institution established on or after January 1, 2004, the amount of the mandatory fees paid shall be equal to such amount or amounts initially approved for that new eligible public postsecondary institution for its first year of operation by action of the board of regents or the Department of Technical and Adult Education, as applicable, except as otherwise provided for in Code Section 50-27-13."

### SECTION 3.

Said chapter is further amended by revising Code Section 20-3-519.3, relating to eligibility requirements for a HOPE scholarship at a private postsecondary institution, as follows:

"20-3-519.3.

(a) To be eligible for a HOPE scholarship, an entering freshman student seeking an associate or baccalaureate degree at an eligible private postsecondary institution shall:

(1) Meet residency requirements by meeting



1 (A) Meeting the requirements to be classified as a legal resident of Georgia as  
2 established by the program regulations promulgated by the Georgia Student Finance  
3 Commission; and

4 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
5 graduation from high school or from a home study program meeting the requirements  
6 of Code Section 20-2-690, then the student must have met the requirements set forth  
7 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
8 prior to the first day of classes for which the HOPE scholarship is to be awarded; or

9 (ii) If the student was not classified as a legal resident at the time of graduation from  
10 high school or from a home study program meeting the requirements of Code Section  
11 20-2-690, then the student must have met the requirements set forth in subparagraph  
12 (A) of this paragraph for a period of at least 12 months immediately prior to the first  
13 day of classes for which the HOPE scholarship is to be awarded.

14 Notwithstanding the foregoing, a dependent child of military personnel stationed in  
15 Georgia shall be deemed to be a legal resident of Georgia and, subject to meeting all  
16 other eligibility requirements, shall be eligible to receive the HOPE scholarship as a  
17 freshman if the student graduated from a high school located in Georgia or from a home  
18 study program meeting the requirements of Code Section 20-2-690 that is located in  
19 Georgia;

20 (2) Meet achievement standards by:

21 (A) Having graduated from an eligible high school while meeting the curriculum  
22 requirements of his or her program of study in 1996 or thereafter and meeting the  
23 requirements set out in the applicable paragraph of subsection (b) of Code Section  
24 20-2-157; or

25 (B) In the case of a student who is otherwise qualified but:

26 (i) Did not graduate from high school or complete a home study program meeting the  
27 requirements of subsection (c) of Code Section 20-2-690, having received the general  
28 educational development (GED) diploma awarded by the Georgia Department of  
29 Technical and Adult Education after June 30, 1993, provided that such student shall  
30 only be eligible for a HOPE scholarship pursuant to subsection (e) of this Code  
31 section;

32 (ii) Completed a home study program meeting the requirements of subsection (c) of  
33 Code Section 20-2-690 in lieu of graduating from an eligible high school, earning a  
34 cumulative grade point average of at least 3.0 at an eligible public postsecondary  
35 institution at the end of the quarter or semester in which the student has attempted 45  
36 quarter hours or 30 semester hours, provided that such student shall be eligible to

1 receive a retroactive HOPE scholarship for such student's freshman year to be paid  
2 at the end of the freshman year; or

3 (iii) Graduated from a high school which is not an eligible high school, earning a  
4 cumulative grade point average of at least 3.0 at an eligible public postsecondary  
5 institution at the end of the quarter or semester in which the student has attempted 45  
6 quarter hours or 30 semester hours, provided that such student shall be eligible to  
7 receive a retroactive HOPE scholarship for such student's freshman year to be paid  
8 at the end of the freshman year; and

9 (3) Meet enrollment standards by:

10 (A) Being admitted, enrolled, and classified as an undergraduate student in a  
11 matriculated status; and

12 (B) Being registered for and attending classes as at least a half-time student for 14 days  
13 or more after the last day of the institution's drop and add period.

14 (b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or  
15 baccalaureate degree at an eligible private postsecondary institution shall:

16 (1) Meet residency requirements by: ~~meeting~~

17 (A) Meeting the requirements to be classified as a legal resident of Georgia as  
18 established by the program regulations promulgated by the Georgia Student Finance  
19 Commission; and

20 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
21 graduation from high school or from a home study program meeting the requirements  
22 of Code Section 20-2-690, then the student must have met the requirements set forth  
23 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
24 prior to the first day of classes for which the HOPE scholarship is to be awarded; or

25 (ii) If the student was not classified as a legal resident at the time of graduation from  
26 high school or from a home study program meeting the requirements of Code Section  
27 20-2-690, then the student must have met the requirements set forth in subparagraph  
28 (A) of this paragraph for a period of at least 12 months immediately prior to the first  
29 day of classes for which the HOPE scholarship is to be awarded;

30 (2) Meet achievement standards by meeting the following criteria:

31 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary  
32 institution:

33 (i) At the end of the quarter or semester in which the student has attempted 45 quarter  
34 hours or 30 semester hours if such student is a full-time student; or

35 (ii) At the end of three consecutive quarters or semesters if such student is a half-time  
36 student and has maintained part-time student status for three consecutive quarters or  
37 semesters; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by:

(A) Being admitted, enrolled, and classified as an undergraduate student in a matriculated status; and

(B) Being registered for and attending classes as at least a half-time student for 14 days or more after the last day of the institution's drop and add period.

(c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate or first professional degree at an eligible private postsecondary institution shall:

(1) Meet residency requirements by: ~~meeting~~

(A) Meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission; and

(B)(i) If the student was classified as a legal resident of Georgia at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded; or

(ii) If the student was not classified as a legal resident at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded;

(2) Meet achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution at the end of the quarter or semester in which the student has attempted 90 quarter hours or 60 semester hours; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by:

(A) Being admitted, enrolled, and classified as an undergraduate student in a matriculated status or provided that in the case of an otherwise eligible student who is classified as a first professional degree student rather than an undergraduate student, have been accepted into the first professional degree program of study prior to receiving a baccalaureate degree; and

(B) Being registered for and attending classes as at least a half-time student for 14 days or more after the last day of the institution's drop and add period.

(d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate or first professional degree at an eligible private postsecondary institution shall:

(1) Meet residency requirements by: ~~meeting~~

(A) Meeting the requirements to be classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission; and

(B)(i) If the student was classified as a legal resident of Georgia at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded; or

(ii) If the student was not classified as a legal resident at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in subparagraph (A) of this paragraph for a period of at least 12 months immediately prior to the first day of classes for which the HOPE scholarship is to be awarded;

(2) Meet achievement standards by meeting the following criteria:

(A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution at the end of the quarter or semester in which the student has attempted 135 quarter hours or 90 semester hours; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(3) Meet enrollment standards by:

(A) Being admitted, enrolled, and classified as an undergraduate student in a matriculated status or, in the case of an otherwise eligible student who is classified as a first professional degree student rather than an undergraduate student, being accepted into the first professional degree program of study prior to receiving a baccalaureate degree; and

(B) Being registered for and attending classes as at least a half-time student for 14 days or more after the last day of the institution's drop and add period.

(e)(1)(A) An otherwise eligible full-time student who fails to maintain a cumulative grade point average of at least 3.0 at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours may attend the next 45 quarter hours or 30 semester hours without a HOPE scholarship. A full-time student

1 who regains a cumulative grade point average of at least 3.0 at the end of the quarter  
2 or semester in which the full-time student has attempted 90 quarter hours or 60  
3 semester hours may requalify for a HOPE scholarship. A full-time student who regains  
4 a cumulative grade point average of at least 3.0 at the end of the quarter or semester in  
5 which the full-time student has attempted 135 quarter hours or 90 semester hours may  
6 requalify for a HOPE scholarship.

7 (B) An otherwise eligible half-time student who regains or attains a cumulative grade  
8 point average of at least 3.0 at the end of a quarter or semester in which the half-time  
9 student has attempted 45, 90, or 135 quarter hours or 30, 60, or 90 semester hours may  
10 attain or requalify for a HOPE scholarship.

11 (2) In addition to other requirements, and regardless of quarter or semester hours of  
12 coursework attempted, a student who fails to possess a cumulative grade point average  
13 of at least 3.0 at the end of each spring quarter or semester or at the end of three  
14 consecutive quarters or semesters for a half-time student pursuant to paragraph (2) of  
15 subsection (b) of this Code section shall be ineligible for a HOPE scholarship until such  
16 time as the student regains or attains a cumulative grade point average of at least 3.0 at  
17 one of the 45, 90, or 135 quarter hour grade point average checkpoints or at one of the 30,  
18 60, or 90 semester hour grade point average checkpoints, at which time the student will  
19 regain or attain eligibility if other terms and conditions in this Code section are also  
20 satisfied.

21 (f)(1) Except as set out in paragraph (2) of this subsection, a student may receive a  
22 HOPE scholarship until the first of these events:

23 (A) The student has earned a baccalaureate degree; or

24 (B) The student has attempted at any postsecondary institution a total of 190 quarter  
25 hours or 127 semester hours.

26 (2) A student enrolled in an undergraduate or first professional degree program designed  
27 to be more than 190 quarter hours or 127 semester hours in length is eligible to receive  
28 a HOPE scholarship for the lesser of:

29 (A) A total of 225 attempted quarter hours or 150 attempted semester hours; or

30 (B) The number of hours required for graduation if the student has a cumulative grade  
31 point average of at least 3.0 after the term in which the student attempted 190 quarter  
32 hours or 127 semester hours.

33 (g)(1) Except as provided for in paragraph (2) of this subsection, subject to the amounts  
34 appropriated by the General Assembly and provisions relating to the scholarship shortfall  
35 reserve subaccount in Code Section 50-27-13, a HOPE scholarship awarded under this  
36 Code section shall be not less than \$3,000.00 for any academic year.

1 (2) Effective beginning with the fall quarter or semester commencing after July 1, 2004,  
2 subject to the amounts appropriated by the General Assembly and provisions relating to  
3 the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE  
4 scholarship awarded under this Code section shall be not less than \$1,500.00 for half-time  
5 enrollment and \$3,000.00 for full-time enrollment for any academic year."

6 **SECTION 4.**

7 All laws and parts of laws in conflict with this Act are repealed.